

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

\_\_\_\_\_  
)  
)  
KEVIN HENRY and NAJEH DAVENPORT, on behalf of )  
themselves and all others similarly situated, )

Plaintiffs

Case No. 2:20-cv-4165-AB

v.

\_\_\_\_\_  
)  
)  
NATIONAL FOOTBALL LEAGUE and NFL )  
PROPERTIES, LLC, successor-in-interest to NFL )  
Properties, Inc., )

Defendants.

**NOTICE OF APPEAL**

Plaintiffs Kevin Henry and Najeh Davenport hereby give notice of their appeal to the U.S. Court of Appeals for the Third Circuit of the Court's Order of March 8, 2021 (ECF 40), which grants Defendants' Motion to Dismiss Plaintiffs' Complaint and is a final order dismissing the case.

Dated: March 8, 2021

Respectfully submitted,

\_\_\_\_\_  
*/s/ Cyril V. Smith*  
Cyril V. Smith  
Zuckerman Spaeder LLP  
100 E. Pratt Street, Suite 2440  
Baltimore, MD 21202  
(410) 332-0444  
csmith@zuckerman.com

Aitan D. Goelman  
Ezra B. Marcus  
Zuckerman Spaeder LLP  
1800 M Street, 10<sup>th</sup> Floor  
Washington, DC 20036

(202) 778-1800  
agoelman@zuckerman.com  
emarcus@zuckerman.com

/s/ Edward S. Stone  
Edward S. Stone  
Edward Stone Law P.C.  
300 Park Avenue, 12<sup>th</sup> Floor  
New York, NY 10022  
(203) 504-8425  
eddie@edwardstonelaw.com

/s/ J.R. Wyatt  
J.R. Wyatt  
JR Wyatt Law PLLC  
49 West 37th Street, 7th Floor  
New York, New York 10018  
(215) 557-2776  
justin@jrwyattlaw.com

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing was filed electronically with the Clerk of the Court on the eighth day of March, 2021, to be served by operation of the Court's electronic filing system which sent notification of such filing via electronic mail to all counsel of record.

Dated: March 8, 2021

/s/ Ezra B. Marcus  
Ezra B. Marcus